

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35996 of 2022

Arising Out of PS. Case No.-385 Year-2021 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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RANJAN KUMAR RAM @ RAJEEV RANJAN Son of Madan Kumar Ram
@ Madan Ram Resident of Village - Jitwarpur Nijamat, Police Station-
Samastipur (Muffasil), District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate
For the Opposite Party/s : Ms. Anita Kumari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 302, 201
and 120B/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

The informant alleges that petitioner along with Sujit
Ram and Ranjeet Ram had taken the son of the informant for a
feast on 18.09.2021 in the night. On 19.09.2021 his nephew
while walking on the roof in the morning saw some persons
carrying a person through paddy field when he asked them, they



threw the dead body and fled away and were identified as Chiran Rai, Bikram Rai, Vikki Rai, Ranjeet Kumar, Prem Kumar Rai and the petitioner. Thereafter, the informant along with his family members went to the place of occurrence and identified the body of his son.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that from bare perusal of the allegation as alleged in the FIR, it would manifest that the informant alleges that this petitioner along with Sujit Ram and Ranjeet Ram had taken his son for a feast in the night on 18.09.2021. It is next submitted that since the son of the informant willingly accompanied the petitioner for the feast without any protest either by him or by his family members that itself demonstrates that the relationship between the deceased and the petitioner, Sujit Ram and Ranjeet Ram was cordial. It is also submitted that even presuming what has been alleged is true without admitting the same for the purpose of anticipatory bail then the nephew of the informant saw six accused persons throwing a dead body but then he does not name the petitioner as one of the accused who was accompanying the other accused carrying the dead body. It is further submitted that the entire allegation hinges around



suspicion on the ground that petitioner had taken the son of the informant for the feast in the night on 18.09.2021. It is next submitted that petitioner will not evade the law rather will cooperate in the investigation and will present himself as and when required by the investigating officer of the case.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Samastipur (Mufassil) P.S. Case No. 385 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, in the event, if the investigating officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court is not cooperating in the investigation or is not appearing when called, the learned trial court after giving an



opportunity of hearing to the petitioner shall pass order in accordance with law and shall have liberty to cancel the bail bonds of the petitioner.

The learned trial court is directed to send a copy of this order to the concerned police station.

(Satyavrat Verma, J)

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